

**MINUTES OF THE COMMITTEE OF THE WHOLE**  
**February 19, 2019**  
**Auditorium**

**Present:** Councilmembers Anderson, Bullock, George, Litten, O’Leary, O’Malley, Rader

**Also Present:** Clerk Bach, Lou McMahon, Law Director Butler, Finance Director Pae, Public Works Director Beno, Human Resources Director Yousefi

**Call to Order:** 7:00 p.m.

**AGENDA: EPA Clean Water Compliance update – review final updated IWWIP**

President O’Leary referenced Resolution 9060-19 on tonight’s docket. The Resolution provides Council’s endorsement of the Phase 2 Integrated Wet Weather Improvement Plan. It conveys Council’s support of the City’s strategy for Clean Water Act Compliance to the EPA. He remarked that the plan is a product of years of data gathering, analysis, and community engagement

The timeline of the plan was discussed. The plan must be submitted to the EPA March 1st. Resolution 9060-19 must be voted on tonight or Council will need to have a special meeting.

Mr. McMahon remarked on the content of the plan. Chapter 10 of the IWWIP is intended to stand alone as the City’s plan. The other chapters provide supporting analysis and reporting. The content is the same as what Council saw last week. Only formatting has been changed.

Regarding the regulatory environment discussed at the last meeting, Mr. McMahon remarked that Lakewood may be one of the first cities in the country to adopt a plan pursuant to the new statute.

In response to questions from Councilmember George, Mr. McMahon explained that the first five years of work as described in the plan are “locked in,” as the EPA is issuing its permit based on this information. The work described starting in 2024 is a projection and not locked in. Regarding the City’s existing 5 year NPDES permit, Council had not issued a resolution of endorsement at that time because integrated planning was not being done at that time.

Mr. McMahon reported on the outcome of an online conference held with EPA last week. Alternatives analysis and technical information were discussed. The conversation went well with few questions from EPA.

Councilmember Bullock pointed out that the plan is committing the City to go down a path toward increasing storage capacity by investing in planning. He questioned the amount of time and planning expense that could be lost should the City decide to change course later on.

Director Beno and Mr. McMahon discussed the costs involved of planning these projects.

Councilmember Bullock asked about the Atkins Ave. source control pilot project and advocated for keeping source control as a strategy.

Director Beno and Mr. McMahon provided information about the status of the Atkins Ave. pilot and pointed to areas in the plan where source control was addressed.

In response to a question by Councilmember Rader, Mr. McMahon stated that the current plan is highly sensitive to opportunity costs. The goal of the plan is to get the most cost efficient solutions so that City funds can be invested in other infrastructure needs and that disruptions can be minimized.

Motion by President O'Leary, seconded by Vice President Anderson to recommend adoption of Resolution 9060-19 to full Council.

All members voted in favor. Motion adopted.

Committee of the Whole adjourned at 7:29 p.m.

RESOLUTION NO. 9060-19

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of council, or otherwise to take effect at the earliest period allowed by law, ratifying and endorsing the City's Integrated Wet Weather Improvement Plan, and especially the Priorities and Principles recited therein.

WHEREAS, after years of study under the integrated planning framework advanced by the federal government, the City has prepared an integrated plan to address and minimize combined sewer overflows into Lake Erie and Rocky River for the health, safety and welfare of Lakewood residents and for compliance with the federal Clean Water Act of 1972; and

WHEREAS, the plan, found within Phase 2 of the City's Integrated Wet Weather Improvement Plan, is due to the Ohio EPA on or about March 1, 2019; and

WHEREAS, Council has been involved in the planning of Phase 2 of the City's IWWIP, from participating in the public process to passing five years' worth of water and sewer rates in order to fund imminent improvements called for under the plan to adopting long-term capital strategies that permit the construction of a high-rate treatment facility among other improvements, and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the city of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that the City's IWWIP Phase 2 plan is due on or about March 1, 2019; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Council hereby ratifies and endorses the City's Integrated Wet Weather Improvement Plan, and especially the Priorities and Principles recited therein, in substantially the same form as the document attached as Exhibit A, as part of the City's overall Phase 2 submission to the Ohio EPA.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT

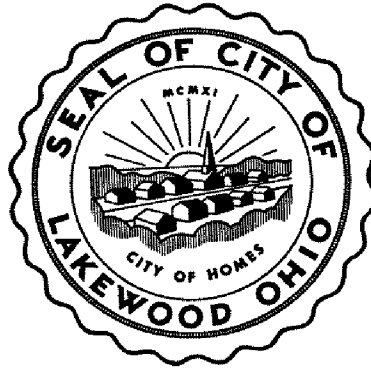
\_\_\_\_\_  
CLERK

Approved: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

EXHIBIT A  
Integrated Wet Weather Improvement Plan

*(See following pages)*



# **INTEGRATED WET WEATHER IMPROVEMENT PLAN**

## **PHASE 2**

**City of Lakewood, Ohio**

February 19, 2019



### NOTE

The material that follows is the City of Lakewood Integrated Wet Weather Improvement Plan, Phase 2. The full report includes technical and historical analyses found in other chapters and will be submitted by the NPDES permit deadline. The material that follows constitutes Chapter 10 of the full Phase 2 IWWIP report and submittal by the city.



## CHAPTER 10 – LAKEWOOD’S INTEGRATED WET WEATHER IMPROVEMENT PLAN

Based on the investigations summarized and reported in the 2019 Phase 2 IWWIP report, the City of Lakewood adopts this Integrated Wet Weather Improvement Plan and schedule.

This IWWIP will achieve compliance with the Clean Water Act and Ohio law. This IWWIP complies with all requirements of 33 USC §1412(s) and EPA’s June 2012 Integrated Municipal Stormwater and Wastewater Planning Approach Framework.

### PRIORITIES AND PRINCIPLES

To achieve the environmental and public health goals of the Clean Water Act, Ohio law and the city’s Community Vision, the City of Lakewood adopts these priorities and principles to guide the implementation of the IWWIP:

- 1. Lakewood is committed to sustained sewer system improvement for the betterment of water resources, human health and the protection of economic vitality of the city.** The city’s IWWIP priority is to reduce the discharge of pollutants to receiving waters. General stormwater management and general maintenance and operation will follow existing permits and plans.  
  
Control of Rocky River pollutant discharge via CSO 052 is prioritized higher than other overflows due to pollutant load, recreational use, and opportunity for significant cost-effective measures on city-owned property. Control of Lake Erie discharges are prioritized based on relative mass of pollutant loading.
- 2. Capital projects should achieve the greatest water quality and public health improvement for the dollars spent.** Upgrades to the collection system, especially the modernization of over-under sewers, should be integrated with other infrastructure work, such as street repairs and water line renewal, in order to maximize cost efficiencies and minimize disruption.
- 3. Basement backups are the worst water and sewer related outcome and reducing risk of backups is a priority.** Lakewood will not undertake any action under this IWWIP that knowingly increases the risk of basement backups during the normal level of service conditions. Lakewood will continue system monitoring and iterative modeling so that all improvements under this plan, including major capital projects as well as routine manhole separation and invert plate replacements, are documented and incorporated into ongoing analysis so that risk of backups is minimized.





4. **Consistent with the Clean Water Act and Integrated Planning, Adaptive Management of this IWWIP must be maintained.** Adaptive management is necessary to leverage land use changes, market opportunities, new technologies, changing affordability and access to non-local sources of infrastructure funding.

In each five-year period, Lakewood will prepare an IWWIP update. As part of the update and at other times, Lakewood will receive and consider public input, consistent with the Integrated Planning Framework.

5. **All actions under the IWWIP must remain affordable and equitable.** The IWWIP must remain affordable for Lakewood's sensitive populations, especially the lowest quintiles. The IWWIP must remain predictable to protect affordability and sustain private investment. New rate structures and any systematic renewal of private infrastructure must be equitable.

With these priorities and principles guiding implementation, Lakewood's IWWIP and schedule are set forth below for the next five-year period, corresponding to the schedule for Lakewood's NPDES renewal schedule for 2019-2023. The projected five-year schedule for 2024-2028 is also listed. All remaining IWWIP large capital measures to be implemented after 2028 are prioritized.

#### ONGOING IWWIP MEASURES

The following IWWIP measures are applicable in all five-year periods:

1. Lakewood will continue its ongoing investment to renew existing infrastructure, at its WWTP and throughout the system, in an integrated and planned approach.
2. Lakewood will maximize land use opportunities and code enforcement for continued wet weather improvement and green infrastructure development, consistent with the Community Vision.
3. Lakewood will continue its ongoing investigation and iterative modeling and monitoring to optimize system performance, prioritize capital investments and minimize risks of basement backups.
4. Lakewood will perform periodic affordability analyses, no less than in every five-year period, to protect ratepayer affordability, especially the lowest quintiles of the population, in order to keep the program sustainable.
5. Lakewood will perform Adaptive Management review of this IWWIP no less than every five-year period in preparation for any five-year IWWIP update.



## SCHEDULE

Lakewood adopts the following schedule of IWWIP measures:

### 1. 2019-2023

- Continue all ongoing activities.
- Complete Atkins area private property pilot study and evaluate the cost-effectiveness and prioritization of any private infrastructure requirements.
- Evaluate revised rate structure to include fixed-fee charge and/or impervious-surface charge and credit or incentive regime.
- Complete West Clifton and other Regulator Improvement Projects.
- Complete \$23 million High-Rate Treatment Facility for control of CSO 002.
- Complete design of Bundle 1: work for CSO 052 storage facility and aerial sewer.
- Evaluate land use requirements for CSO 059 control measure and related land use opportunities and existing facility investment.
- Complete IWWIP Update by December 31, 2022.

### 2. 2024-2028 (projected)

- Continue all ongoing activities (and any additional ongoing measures adopted in 2019-2023).
- Construct Bundle 1: CSO 052 storage facility RRES 1160-1165: Aerial Sewer to Above Ground Storage at WWTP. Controlled to 4 untreated CSOs per typical year.
- Complete design work for Bundle 2: CSO 059 and related interceptor overflow storage facilities.
- Complete IWWIP Update by December 31, 2027.



### 3. Prioritized potential 5-year bundles of measures (exclusive of ongoing activities), subject to affordability limits

#### *Bundle 2: CSO 059 and Homewood*

- Construct LEWS 1040: Relief to Interceptor picking up all CSOs and manage at CSO 059. No overflow in 2-year storm event.
- Construct LEWS 1035 (CSO 059): Underground Tank Storage (storage to manage also LEWS 1040 and LEWS 1195 TBD). Controlled to 4 untreated CSOs per typical year.
- Construct LEWS 1195: Close off and convey more to Interceptor and manage at CSO 059. No overflow in 2-year storm event.
- Construct LEWS 1070: Source Control, Diversion Sewer, Pump Station, Storm Sewer. No overflow in 2-year storm event.
- Design Bundle 3: CSO 057 and Detroit Avenue/West Clifton.

#### *Bundle 3: CSO 057 and Detroit Avenue/West Clifton*

- Construct LEWS 1130-1135 (CSO 057): Belle Storage Tunnel, Lakewood Park Storage Basin. Controlled to 4 untreated CSOs per typical year.
- Construct RRES 1145: Source Control, Sewer Separation, Regulator Modification, Green Infrastructure. No overflow in 2-year storm event.
- Design Bundle 4: CSO 056A&B and Lakeland.

#### *Bundle 4: CSO 056A&B and Lakeland*

- Construct LEWS 1150 (CSO 056B)-1155 (CSO 056A): Source Control, Green Infrastructure, Relief Sewer, Regulator Modifications. Controlled to 0 untreated CSOs per typical year.
- Construct LEWS 1180: Source control, relief sewer, storm sewer. No overflow in 2-year storm event.
- Design Bundle 5: Remaining Minor Overflows.



*Bundle 5: Remaining Minor Overflows*

- Construct LEWS 1225 (CSO 055): Sewer separation. Overflow eliminated.
- Construct LEWS 1110 (CSO 058): Diversion sewer. Controlled to 4 untreated CSOs per typical year.
- Construct LEWS 1045: Bulkhead interceptor connection, add pump station to serve area. No overflow in 2-year storm event.
- Construct LEWS 1055-1060: Source Control, Green Infrastructure, Relief Sewer, Regulator Modification. No overflow in 2-year storm event.
- Construct LEWS 1285-1295: Relief Sewer, Regulator Modification. No overflow in 2-year storm event.
- Construct LEWS 1210: Source control. No overflow in 2-year storm event.
- Construct LEWS 1215: Regulator modification. No overflow in 2-year storm event.
- Construct LEWS 1220: Source control, Green Infrastructure. No overflow in 2-year storm event.